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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,780	03/16/2000	Edward O. Clapper	INTL-0359-P1-US (P7596X)	1757

7590 01/15/2002
Timothy N Trop
Trop Pruner & Hu PC
Ste 100
8554 Katy Freeway
Houston, TX 77024

EXAMINER

PATEL, NITIN

ART UNIT PAPER NUMBER

2673

DATE MAILED: 01/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/526,780

Applicant(s)

CLAPPER

Examiner

Nitin Patel

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-7 is rejected under 35 U.S.C. 102(e) as being anticipated by Brusky et al., (U.S. Patent No. 6,111,569).

As per claim 1, Brusky teaches a wireless peripheral for a receiver (In abstract):
a housing (element 70 In Fig.1);
a keyboard defined on housing (In fig.1 element 70 and In Col.3 lines 12-14);
a pair of wireless interface that transmit wireless signals directed at sufficiently spaced angles with respect to one another to enable said receiver to distinguish one of signals from the other of signals (In Col.3 lines 14-25).

As per claim 2, Brusky teaches housing includes a pair of opposed sides, a keyboard being situated on each of sides (In fig.1 element 70).

As per claim 3, Brusky teaches a wireless interface associated with each if keyboard (In col.3 lines 12-16 and In Col.3 lines 42-44).

As per claim 4, Brusky teaches one of keyboard operates as a remote control unit and the other of keyboards operates as a text entry keyboard (In col.3 lines 33-37 and lines 42-44).

As per claims 5,6 Brusky teaches a controller coupled to interface and qwerty keyboard (In fig.1 and In Col.2 lines 51-57).

As per claim 7, Brusky teaches wireless interfaces are infrared interfaces (In col.3 lines 42-44).

3. Claims 11,12,13,14,17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kimura et al., (U.S. Patent No. 6,108,716).

As per claim 11, Kimura teaches providing at least two modes for a wireless device and selecting one of modes for wireless device based on the orientation of wireless device (In fig.21-23 and In col.15 lines 27-44).

As per claim 12,13,14,17 Kimura teaches a processor based system (In col.5 lines 8-10) and wireless interface are infrared interface (In Fig.22 elements 106 a-c) and with angled sufficiently such only one of signals is detected by receiver (In fig.22, 23 and In Col.15 lines 27-44).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2673

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky et al., (U.S. Patent No. 6,111,569) in view of Kimura et al., (U.S. Patent No. 6,108,716).

As per claims 8-10 Brusky does not specifically teaches interfaces are oriented to generate wireless signal greater than 45 degrees from one another and two different orientations arranged relative to a user in each of orientations a different one of interface is aligned with receiver.

Kimura teaches interfaces are oriented to generate wireless signal greater than 45 degrees from one another and two different orientations arranged relative to a user in each of orientations a different one of interface is aligned with receiver(In col.2 lines 25-35 and In Col.14 lines 60-67 to Col.15 lines 1-45). It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to allow the teaching of Kimura's into the wireless keyboard system of Brusky's because it would have provided a full function remote control system for an entertainment system which may include a TV and a PC or internet access device.

6. Claims 15,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky et al., (U.S. Patent No. 6,111,569) in view of Henty (U.S. Patent No. 6,094,156).

As per claims 15-16 Brusky does not specifically teach controlling a television receiver and providing a text entry commands in another orientation of device.

Art Unit: 2673

Henty teaches controlling a television receiver and providing a text entry commands in another orientation of device (In fig. 1a, 1b, 1c and In Col.3 lines 10-55 and In col.4 lines 6-19). It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to allow the teaching of Henty's multi directional controller into the system of Brusky's system because it would have controlled two device with different signal which would not inadvertently activate the two control device at a same time.

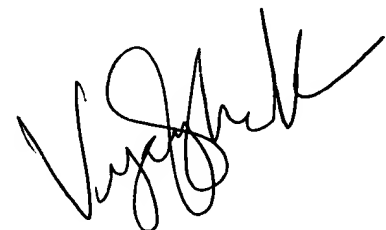
CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 703-308-7024. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H Shalwala can be reached on 703-305-4938. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9618.

Nitin Patel
Examiner
Art Unit 2673



VIJAY SHANKAR
PRIMARY EXAMINER